

2611

NOV 9 7 2004

**TRANSMITTAL FORM***(to be used for all correspondence after initial filing)*

<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>		Application No.	09/560,674
		Filing Date	April 27, 2000
		First Named Inventor	Tsutomu Shimomura
		Art Unit	2611
		Examiner Name	Kieu Oanh T Bui
Total Number of Pages in This Submission	18	Attorney Docket Number	4259P057D2

**ENCLOSURES (check all that apply)**

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input checked="" type="checkbox"/> PTO/SB/08 <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Basic Filing Fee <input type="checkbox"/> Declaration/POA <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <div style="border: 1px solid black; padding: 5px; margin-top: 10px;">Return Postcard</div>
Remarks		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	Thomas C. Webster, Reg. No. 46,154 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Signature	<i>Thomas C. Webster</i>
Date	11/12/04

**CERTIFICATE OF MAILING/TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Typed or printed name	Janece Shannon	Date	11/12/2004
Signature	<i>Janece Shannon</i>	Date	November 12, 2004

# FEE TRANSMITTAL for FY 2004

Effective 01/01/2004. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT (\$) 180.00

## Complete if Known

Application Number 09/560,674  
Filing Date April 27, 2000  
First Named Inventor Tsutomu Shimomura  
Examiner Name Kieu Oanh T Bui  
Art Unit 2611  
Attorney Docket No. 4259P057d2

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None  
☒ Deposit Account

Deposit Account Number 02-2666  
Deposit Account Name Blakely, Sokoloff, Taylor & Zafman LLP

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Credit any overpayments  
☒ Charge any additional fee(s) or underpayment of fees as required under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	790	2001	395	Utility filing fee	
1002	350	2002	175	Design filing fee	
1003	550	2003	275	Plant filing fee	
1004	790	2004	395	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)				(\$)	

### 2. EXTRA CLAIM FEES

Total Claims  20\*\* =  X  =   
Independent Claims  3 =  X  =   
Multiple Dependent  =

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	88	2201	44	Independent claims in excess of 3	
1203	300	2203	150	Multiple Dependent claim, if not paid	
1204	88	2204	44	**Reissue independent claims over original patent	
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)				(\$)	

\*\*or number previously paid, if greater, For Reissues, see below

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
2053	130	2053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920 *	1804	920 *	Requesting publication of SIR prior to Examiner action	
1805	1,840 *	1805	1,840 *	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	430	2252	215	Extension for reply within second month	
1253	980	2253	490	Extension for reply within third month	
1254	1,530	2254	765	Extension for reply within fourth month	
1255	2,080	2255	1,040	Extension for reply within fifth month	
1404	340	2401	170	Notice of Appeal	
1402	340	2402	170	Filing a brief in support of an appeal	
1403	300	2403	150	Request for oral hearing	
1451	1,510	2451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,370	2453	685	Petition to revive - unintentional	
1501	1,370	2501	685	Utility issue fee (or reissue)	
1502	490	2502	245	Design issue fee	
1503	660	2503	330	Plant issue fee	
1460	130	2460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	180.00
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	1809	395	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
Other fee (specify)					
SUBTOTAL (3)				(\$)	180.00

\* Reduced by Basic Filing Fee Paid

## SUBMITTED BY

## Complete (if applicable)

Name (Print/Type) Thomas C. Webster Registration No. 46,154 Telephone (408) 720-8300  
Signature [Signature] Date 11/12/04

Atty Docket No. 04259.P057D2

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Shimomura, et al.

Application No. 09/560,674

Filed: April 27, 2000

For: METHODS OF APPARATUS  
BROADCASTING DATA

Examiner: Kieu Oanh T. Bui

Art Unit: 2611

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

Applicant hereby requests consideration of the enclosed Information Disclosure Statement pursuant to 37 C.F.R §1.97(b). Attached are the PTO Forms 1449 and Forms 892 from the parent application filed on April 16, 1999 (Serial No. 09/293,594). The previous application is relied upon for an earlier filing date under 35 U.S.C. §120.

Pursuant to C.F.R. §1.98(d), copies of the references are not being provided herewith since they were previously sent to the Patent and Trademark Office. Please consider these cited documents in the currently pending §1.53(b) divisional application filed on April 27, 2000.

**FIRST CLASS CERTIFICATE OF MAILING**

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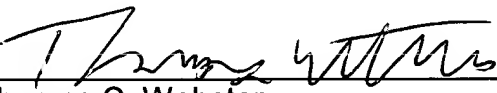
11/12/2004  
Date

Pursuant to 37 C.F.R. § 1.97, the submission of this Information Disclosure Statement is not to be construed as a representation that a search has been made and is not to be construed as an admission that the information cited in this statement is material to patentability.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: 11/12, 2004

  
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Substitute for form 1449A/PTO  
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# **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

(use as many sheets as necessary)

## **Complete if Known**

Application Number	09/293,594
Filing Date	4/16/99
First Named Inventor	Shimomura
Group Art Unit	2711
Examiner Name	K. Bui
Attorney Docket Number	GEOC.P0003

Sheet	1	of	7
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## **U.S. PATENT DOCUMENTS**

Examiner Initials *	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Filing Date if Appropriate
	Number				
	5,671,377		Bleidt, et al.	9/23/1997	7/19/1994
	5,828,839		Moncreiff; Craig T	10/27/1998	11/14/1996
	5,959,508		Aitken; Mark	9/28/1999	8/1/1997
	5,857,181		Augenbraun, et al.	1/5/1999	7/25/1997
	5,797,001		Augenbraun, et al.	8/18/1998	9/26/1996
	5,617,565		Augenbraun, et al.	4/1/1997	11/29/1994
	5,585,858		Harper, et al.	12/17/1996	8/12/1994
	5,953,012		Veghte, et al.	9/14/1999	12/13/1994
	5,867,657		Bolosky, et al.	6/6/1996	2/2/1999
	5,758,258		Shoff, et al.	5/26/1998	8/21/1995

## **FOREIGN PATENT DOCUMENTS**

Examiner Initials *	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Translation? Yes/No
	Office or Country	Number	Date			

## **OTHER DOCUMENTS**

Examiner Initials *	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published (if known).	Translation? Yes/No
	Cyberstar Brochure, Cyberstar L.P., October 9, 1998, 11 pages.	
	MediaStream MRX-2 PC-DVB Satellite Receiver Card Brochure, Media4, Inc., 8/1998, 2 pages.	
	MediaStream MRX-3 PC-DVB Satellite Receiver Card Brochure, Media4, Inc., 8/1998, 2 pages.	
	MediaStream IP-DVB Gateway Brochure, Media4, Inc., 5/1998, 2 pages.	
	MediaStream Network Control System Brochure, Media4, Inc., 5/1998, 2 pages.	

Examiner  
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Date  
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# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Complete if Known

Application Number 09/293,594

Filing Date 4/16/99

First Named Inventor Shimomura

Group Art Unit 2711

Examiner Name K. Bui

Attorney Docket Number GEOC.P0003

Sheet 2 of 7

## U.S. PATENT DOCUMENTS

Examiner Initials *	U.S. Patent Document Number	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Filing Date if Appropriate
	5,874,985	Matthews, III; Joseph H.	2/23/1999	11/12/1997
	5,748,789	Lee, et al.	5/5/1998	10/31/1996
	5,731,841	Rosenbaum, et al.	3/24/1998	5/25/1994
	5,572,247	Montgomery, et al.	11/5/1996	4/8/1994
	5,918,002	Klemets, et al.	6/29/1999	3/14/1997
	5,247,575	Sprague, et al.	9/21/1993	4/24/1992
	5,632,007	Freeman; Michael J	5/20/1997	9/23/1994
	5,724,091	Freeman, et al.	3/3/1998	5/18/1995
	5,861,881	Freeman, et al.	1/19/1999	2/8/1996
	5,691,986	Pearlstein	11/25/1997	6/7/1995

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## OTHER DOCUMENTS

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	MediaStream Broadcast Server Brochure, Media4, Inc., 5/1998, 2 pages.	

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Sheet 3 of 7

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	Number				
	5,615,264		Kazmierczak, et al.	3/25/1997	6/8/1995
	5,615,338		Poole, et al.	3/25/1997	5/24/1995
	5,900,905		Shoff, et al.	5/4/1999	6/5/1996
	5,761,606		Wolzien	6/2/1998	2/8/1996
	5,913,038		Griffiths	6/15/999	12/13/1996
	5,825,927		Boyce, et al.	10/20/1998	1/16/1996
	5,764,762		Kazmierczak, et al.	6/9/1998	10/28/1996
	5,923,328		Griesmer	7/13/1999	8/7/1996
	5,945,987		Dunn	8/31/1999	5/5/1995
	5,896,414		Meyer, et al.	4/20/1999	9/17/1996

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Application Number 09/293,594

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First Named Inventor Shimomura

Group Art Unit 2711

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Sheet 4 of 7

## **U.S. PATENT DOCUMENTS**

Examiner Initials *	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Filing Date if Appropriate
	Number				
	5,745,185		Portron, et al.	4/28/1998	2/12/1996
	5,724,091		Freeman, et al.	3/3/1998	5/18/1995
	5,327,237		Gerdes, et al.	7/5/1994	6/14/1991
	5,739,866		Kim, et al.	4/14/1998	11/25/1996
	5,907,323		Lawler, et al.	5/25/1999	11/13/1997
	5,861,906		Dunn, et al.	1/19/1999	5/25/1995
	5,903,563		Rashid, et al.	5/11/1999	8/15/1996
	5,983,005		Monteiro, et al.	11/9/1999	7/6/1998
	5,778,187		Monteiro, et al.	7/7/1998	5/9/1996
	5,903,673		Wang, et al.	5/11/1999	3/14/1997

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Examiner Name K. Bui

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Sheet 5 of 7

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		Number			
		5,708,476	Myhrvold, et al.	1/13/1998	7/22/1996
		5,805,763	Lawler, et al.	9/8/1998	5/5/1995
		5,815,145	Matthews, III	9/29/1998	8/21/1995
		5,559,559	Jungo, et al.	9/24/1996	6/15/1993
		5,617,148	Montgomery	4/1/1997	3/31/1995
		5,742,357	Griesbaum	4/21/1998	4/12/1996
		5,410,360	Montgomery	5/25/1995	6/14/1993
		5,557,333	Jungo, et al.	9/17/1996	2/23/1994
		5,831,679	Montgomery, et al.	11/3/1998	10/28/1996
		5,774,172	Kapell, et al.	6/30/1998	2/12/1996

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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

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Application Number 09/293,594

Filing Date 4/16/99

First Named Inventor Shimomura

Group Art Unit 2711

Examiner Name K. Bui

Sheet 6 of 7 Attorney Docket Number GEOC.P0003

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Examiner Initials *	U.S. Patent Document Number	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Filing Date if Appropriate
	5,781,228	Sposato	7/14/1998	9/7/1995
	5,815,195	Tam	9/29/1998	5/6/1996
	5,387,941	Montgomery, et al.	2/7/1995	9/18/1992
	5,437,714	Engel, et al.	10/10/1995	10/13/1992
	5,184,218	Gerdes	2/2/1993	7/3/1991
	5,671,283	Michener, et al.	9/23/1997	6/8/1995
	5,351,293	Michener, et al.	9/27/1994	2/23/1993
	5,200,715	Gerdes, et al.	4/6/1993	9/6/1991
	5,029,003	Jonnalagadda	7/2/1991	
	4,958,230	Jonnalagadda, et al.	9/18/1990	8/11/1989

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Examiner Initials *	Foreign Patent Document Office or Country	Number	Date	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Translation? Yes/No

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		Number			
		5,790,198	Roop, et al.	8/4/1998	5/4/1994
		5,684,525	Klosterman	11/4/1997	3/28/1996
		5,550,576	Klosterman	8/27/1996	4/17/1995
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Examiner Initials *	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Translation? Yes/No
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## OTHER DOCUMENTS

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# **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

(use as many sheets as necessary)

## **Complete if Known**

<b>Application Number</b>	09/293,594
<b>Filing Date</b>	4/16/99
<b>First Named Inventor</b>	Shimomura
<b>Group Art Unit</b>	2711
<b>Examiner Name</b>	K. Bui
<b>Attorney Docket Number</b>	GE0C.P0003

Sheet 1 of 1

## **U.S. PATENT DOCUMENTS**

Examiner Initials *	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Filing Date if Appropriate
		Number			
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Examiner Initials *	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Translation? Yes/No
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## **OTHER DOCUMENTS**

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	Business at the speed of thought Brochure, 10/9/98, 11 pages, Cyberstar, A Loral Company.	
	Broadband Technology Choices Brochure, 3/24/98, 7 pages, Cyberstar, A Loral Company.	
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**Notice of References Cited**Application No.  
**09/293,594**Applicant(s)  
**Shimomura et al.**Examiner  
**"Krista" Kieu-Oanh Bui**Group Art Unit  
**2711**

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**Notice of References Cited**

Application No.  
**09/293,594**

Applicant(s)  
**Shimomura et al.**

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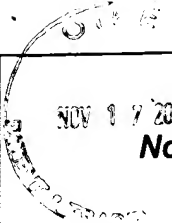
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	K	US-			
	L	US-			
	M	US-			

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